



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Russell et al.  
Serial No. : 09/043,665  
Filed : October 5, 1998  
Title : MATERIALS AND METHODS RELATING TO THE TRANSFER OF  
NUCLEIC ACID INTO QUIESCENT CELLS

Art Unit : 1632  
Examiner : R. Shukla

Commissioner for Patents  
Washington, D.C. 20231

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TECH CENTER 1600/2900

REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b) MAYO FOUNDATION FOR MEDICAL EDUCATION AND RESEARCH, a Minnesota corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above as evidenced by an assignment, which was mailed to the U.S. Patent and Trademark Office on December 20, 2002 (copy attached).

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the application and appoints:

Mark S. Ellinger, Ph.D., Reg. No. 34,812  
Wayne E. Willenberg, Reg. No. 28,488  
H. Sanders Gwin, Jr., Reg. No. 33,242  
Ronald C. Lundquist, Ph.D., Reg. No. 37,875  
J. Patrick Finn III, Ph.D., Reg. No. 44,109  
Monica McCormick Graham, Ph.D., Reg. No. 42,600  
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Greg H. Gardella, Reg. No. 46,045  
Elizabeth N. Kaytor, Ph.D., Reg. No. P-53,103  
Ruffin B. Cordell, Reg. No. 33,487

Dorothy P. Whelan, Reg. No. 33,814  
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J. Richard Soderberg, Reg. No. 43,352  
Chad A. Hanson, Ph.D., Reg. No. 44,737  
Teresa A. Lavoie, Ph.D., Reg. No. 42,782  
Karen B. Geahigan, Ph.D., Reg. No. P-52,936  
John F. Hayden, Reg. No. 37,640

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

January 7, 2003

Date of Deposit

B. Taylor

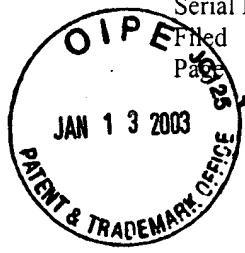
Signature

Brenda L. Taylor

Typed or Printed Name of Person Signing Certificate

Applicant : Russell et al.  
Serial No. : 09/043,665  
Filed : October 5, 1998  
Page : 2

Attorney's Docket No.: 07039-411US1



FISH & RICHARDSON P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402

with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to:

Mark S. Ellinger, Ph.D.  
Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

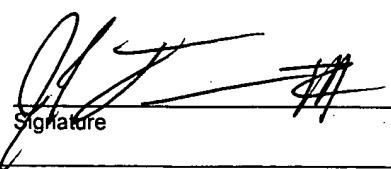
Date: 12/30/02

Title: Assistant Treasurer

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**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

Commissioner for Patents: Please record the attached original document(s) or copy(ies).	
1. Name of conveying party(ies):  BioFocus Discovery Limited  Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies):  Mayo Foundation for Medical Education and Research 200 First Street S.W. Rochester, MN 55905
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other:  Execution Date: 03/01/2002	Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Application number(s) or patent number(s):  If this document is being filed with a new application, the execution date of the application is:  A. Patent Application No(s).:  09/043,665 09/070,630 09/393,960 60/045,164 09/196,505 60/076,448 60/083,657 09/197,056	
B: Patent No(s).:  6,270,761	
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name/address of party to whom correspondence concerning document should be mailed:  MARK S. ELLINGER, PH.D. Fish & Richardson P.C., P.A. 60 South Sixth Street Suite 3300 Minneapolis, MN 55402	
6. Total number of applications/patents involved: 9	
7. Total fee (37 CFR §3.41): \$360  <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to charge Deposit Account.	
8. Deposit Account No.: 06-1050  Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.	
DO NOT USE THIS SPACE	
9. Statement and Signature: <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>	
J. Patrick Finn III, Ph.D. Reg. No. 44,109 Name of Person Signing	 Signature
 Date	
Total number of pages including coversheet, attachments and document: 4	

60117562.doc

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

Express Mail Label No. EV115427416US

Date of Deposit: December 20, 2002

## ASSIGNMENT

In consideration of good and valuable consideration in hand paid, the receipt and sufficiency whereof are hereby acknowledged, and in consideration of the PATENT ASSIGNMENT and LICENCE AGREEMENT between BIOFOCUS DISCOVERY LIMITED and CAMBRIDGE DRUG DISCOVERY HOLDINGS LIMITED and MAYO FOUNDATION FOR MEDICAL EDUCATION AND RESEARCH having the effective date of 1<sup>st</sup> March 2002, the undersigned hereby assign to: Mayo Foundation for Medical Education and Research, a company incorporated in the State of Minnesota, having a principal place of business at 200 First Street S.W., Rochester, Minnesota 55905, its successors and assigns, the entire right, title and interest in the inventions or improvements disclosed in Letters Patents and applications for Letters Patent of the United States, entitled:

<u>Inventors</u>	<u>Patent/Application No.</u>	<u>Filed/Issued</u>
Russell, et al.	6,270,761	August 7, 2001
<b>Title: Improvements in or Relating to Delivery of Nucleic Acids</b>		
Russell, et al.	09/043,665	October 5, 1998
<b>Title: Materials and Methods Relating to the Transfer of Nucleic Acid into Quiescent Cells</b>		
Russell	09/051,393	April 10, 1998
<b>Title: Improvements in or Relating to Protection Against Intracellular Infection</b>		
Russell, et al.	09/070,630	April 30, 1998
<b>Title: Compositions and Methods for Elimination of Unwanted Cells</b>		
Russell, et al.	09/393,960	April 30, 1998
<b>Title: Compositions and Methods for Elimination of Unwanted Cells</b>		
Russell, et al.	60/045,164	April 30, 1997
<b>Title: Compositions and Methods for Elimination of Unwanted Cells</b>		
Russell, et al.	09/196,505	November 20, 1998

**Title: Improvements in or Relating to Regulation of T Cell Activation**

Russell, et al. 60/076,448 March 2, 1998

**Title: Improvements in or Relating to Expression of Immunogenic Substances**

Russell, et al. 60/083,657 April 30, 1998

**Title: Improvements in or Relating to Expression of Immunogenic Substances**

Russell, et al. 09/197,056 November 20, 1998

**Title: Improvements in or Relating to Expression of Immunogenic Substances**

and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said inventions or improvements, and in any and all Letters Patents of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue or extension of such patents, and further assigns to said assignee the priority right provided by the International Convention.

The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patents to said assignee.

The undersigned warrant themselves to be the owners of the entire right, title and interest in said inventions or improvements and to have the right to make this assignment, and further warrant that there are no outstanding prior assignments, licenses, or other encumbrances on the interest herein assigned.

For said considerations the undersigned hereby agree, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuing and substitute applications for said inventions or improvements, and any necessary oath, affidavit or declaration relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said applications and any and all applications and other documents for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns may deem necessary or expedient, and for the said considerations the undersigned authorize said assignee to apply for patents for said inventions or improvements in its own name in such countries where such procedure is proper and further agree, upon the

request of said assignees, its successors and assigns, to cooperate to the best of the ability of the undersigned with said assignee, its successors and assigns, in any proceedings or transactions involving such applications or patents, including the preparation and execution of preliminary statements, giving and producing evidence, and performing any and all other acts necessary to obtain, maintain and enforce any of said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in the assignees, its successors and assigns, whereby said Letters Patents will be held and enjoyed by the said assignees, its successors and assigns, to the full end of the term for which said Letters Patents will be granted, as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made.



1<sup>st</sup> March 2002

Officer: FINANCIAL DIRECTOR

Date 1/3/2002,

BioFocus Discovery Limited

Address: UNIT 10, CAMBRIDGE SCIENCE PARK, MILTON ROAD,

City, Country: CAMBRIDGE, UNITED KINGDOM



1<sup>st</sup> March 2002

Witness name: MARK CHADWICK

Date 1/3/2002

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City, Country: HAVERHILL, SUFFOLK,  
UNITED KINGDOM